

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LUIS ANTONIO DUTTON, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civil Action No. 09-878
)	
v.)	Judge McVerry
)	Magistrate Judge Bissoon
SHANE WILSON, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Luis Antonio Dutton's civil rights complaint was filed on July 6, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on November 12, 2009, recommended that Plaintiff's Motion for Permissive Joinder of Additional Plaintiff Pursuant to Rule 20 (Doc. 15), and his Motion to file Supplemental Pleading of recently learned facts in support of his Complaint (Doc. 18) both be denied. It was further recommended that Plaintiff Miguel A. Dutton, a minor, be dismissed from this lawsuit without prejudice. Service was made upon the Plaintiff by First Class United States Mail at his place of incarceration. Objections were due on or before November 30, 2009. Plaintiff filed a Motion to Reconsider (Doc. 37) on December 28, 2009, which the Court will treat as objections to the Report and Recommendation.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 30th day of December, 2009,

IT IS HEREBY ORDERED that Plaintiff's Motion for Permissive Joinder of Additional Plaintiff Pursuant to Rule 20 (Doc. 15), and his Motion to file Supplemental Pleading of recently learned facts in support of his Complaint (Doc. 18), are DENIED.

Plaintiff Miguel A. Dutton is dismissed from this lawsuit without prejudice and shall be deleted from the caption. The Report and Recommendation of Magistrate Judge Bissoon (Doc. 27), dated November 12, 2009, is adopted as the opinion of the court.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Reconsider (Doc. 37), treated by the Court as objections, is DENIED.

s/Terrence F. McVerry
Terrence F. McVerry
U.S. District Court Judge

cc:
LUIS ANTONIO DUTTON
Lackawanna County Prison
1371 North Washington Ave.
Scranton, PA 18509